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2 A Limited Liability Partnership
3 Including Professional Corporations
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6 Attorneys for Plaintiff Triton Container
7 International Limited

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9 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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11 TRITON CONTAINER
INTERNATIONAL LIMITED,
12 Plaintiff,

Case No. C 06 0326 PJH

13
14 v.
15 CHINA SHIPPING CONTAINER LINES
16 (HONG KONG) CO., LTD., *in personam*,
and CHINA SHIPPING CONTAINER
LINES (ASIA) CO., LTD., *in personam*,

17 Defendants.

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19 Plaintiff and defendants have reached a settlement agreement. Defendants
20 have made the first payment under that agreement. The parties therefore stipulate as
21 follows:

22 1. This action may be dismissed without prejudice in accordance with Fed. R.
23 Civ. P. 41(a)(2).

24 2. A dismissal entered pursuant to this stipulation will not operate as a
25 voluntary dismissal for the purpose of limiting plaintiff's rights to a later dismissal without
26 prejudice on the same claim as provided in Fed. R. Civ. P. 41 (a)(1).

27 3. Notwithstanding this stipulation, either party may move to enforce the terms
28 of the settlement agreement.

1 4. A dismissal entered pursuant to this stipulation and order shall be without an
2 award of costs or attorneys' fees to either party, but it shall also be without prejudice to
3 any right plaintiff may have under its lease agreements with defendants to obtain those fees
4 and costs.

6 | Dated: March 13, 2006

SHEPPARD MULLIN RICHTER & HAMPTON LLP

By

CHARLES S. DONOVAN
Attorneys for Plaintiff Triton Container
International Limited

14 | Dated: March 10, 2006

KEESAL, YOUNG & LOGAN

By

JOHN D. GIFFIN
Attorneys for Defendants China Shipping
Container Lines (Hong Kong) Co., Ltd. and China
Shipping Container Lines (Asia) Co., Ltd.

IT IS SO ORDERED.

Dated: 3/14/06

